

**File Code:** 1950
Route To:**Date:** August 24, 2017**Subject:** CCIR SEIS Project Initiation Letter**To:**

Responsible Official

Forest Supervisor Cheryl Probert is the responsible official for this project and will make the final decision. Jenni Blake, Moose Creek District Ranger, will guide the project up to that point and will consult with the Forest Supervisor directly regarding the IDT's progress.

Project Area

The project area will include the Clear Creek Integrated Restoration Project Area, as described in the September 2015 Clear Creek Integrated Restoration Project Final Environmental Impact Statement (FEIS) and December 2015 Record of Decision (ROD).

Background

The Draft Record of Decision (DROD) was advertised for public comment in February 2015, followed by a 45 day objection period. Three objections were accepted by the Region 1 Regional Forester. Updated analysis were completed for Fisheries, Watershed, and Wildlife resources and the updated FEIS was posted on the Forest website in September 2015. In the late summer of 2015, the Baldy Fire burned approximately 753 acres within the project area in the headwaters of the South Fork of Clear Creek. It was found that the wildfire effects did not significantly change the environmental effects of the project, nor did they change the basis or nature of considerations or rational for reaching a decision.

The Nez Perce Tribe was one of the parties that objected to the Draft Record of Decision. Tribal concerns related primarily to water temperature, sedimentation and impacts to elk and elk habitat. In response to the Tribe's and other's concerns the project was modified in several ways and the final decision was signed in December of 2015. Based on the instructions from the Objection Reviewing Officer, the Forest met with the Tribal staff on July 9, 2015 to provide further information and clarification regarding the potential effects of the project and the modelling used. The Final Record of Decision was signed in December 2015 after receiving the Biological Opinion from NMFS. On February 22, 2016, three NPTEC members discussed the Tribe's continued concerns about the Clear Creek Project with Region 1 Forester Leanne Marten and her staff at a meeting in Missoula, Montana. At the February meeting, Deputy Regional Forester David Schmidt agreed to set up another meeting with Region 1 and Forest staff to review the sediment modeling with Tribal staff. On May 9, 2016, the Forest and Region 1 staff met with the Tribe to discuss the Forest's NEZSED sediment modeling for the Project. The Forest and Tribe had a subsequent meeting scheduled for late in June which was cancelled at the request of the Tribe. On July 2, the Nez Perce Tribe filed a complaint against the project.

On June 9, 2016 the Forest Supervisor, Cheryl Probert withdrew the Clear Creek Integrated Restoration Project, FEIS, and ROD for reconsideration and further evaluation.



Litigation and Scope of Analysis

Through the course of re-evaluation of the sediment modeling, it came to light that some of the coefficients used in the calculations of the NEZSED model had been updated in 2011 and written documentation of the rationale for those changes could not be found. In addition, there was one error in the calculations in that some units had been coded incorrectly for the type of harvest planned. This new information had been shared with the Nez Perce Tribe as the Forest worked through the analysis changes. The Nez Perce Tribe filed a complaint on July 2, 2016 against the December 2015 Clear Creek Integrated Restoration Project Record of Decision (ROD). The Nez Perce Tribe lawsuit charged that the Forest failed to correctly model the potential sediment from the project, and failed to consider the best available science for its elk habitat effectiveness calculations. The intent of this supplemental analysis is to update and augment the FEIS to address these allegations specifically. IDT specialists will review the FEIS in its entirety to ensure that any inaccurate information is updated, but the focus of the analysis should be on the Project's sediment production modeling and impacts of the project on elk habitat.

A new ROD will be issued after the SEIS and public comments have been evaluated. An objection period for the new ROD will be provided, consistent with 36 CFR Part 218.

Purpose and Need for Action

The primary purpose of this project is to manage forest vegetation to restore natural disturbance patterns; improve long-term forest health at the landscape level; reduce fuels; improve watershed conditions; improve early seral wildlife habitat; and maintain habitat structure, function, and conditions toward desired conditions. The Purpose and Need for action is described in the 2015 FEIS on pages 1-5 and 1-6. The Purpose and Need for action has not changed.

Interdisciplinary Team

The following individuals are assigned to the Interdisciplinary Team for this project. It is anticipated that those highlighted in bold will be integral in completing the analysis of the issues identified above. It will be incumbent upon the rest of the IDT to ensure their reports are accurate and reflect current conditions, but little to no additional analysis will be necessary.

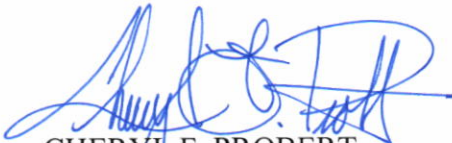
Responsible Official's Representative	Jennifer Blake
Team Leader & NEPA Specialist	Zoanne Anderson
GIS Specialist	Margaret Kirkemide
Fire / Fuels / Air Quality / Roadless	Joe Sullivan
Economics / Logging Systems	Tam White
Engineering	TBD
Wildlife Biologist	Glen Gill
Fisheries / Aquatics	Karen Smith
Hydrologist / Soils	Becca Lloyd
Rare plants / Non-native Invasive Plants	John Warofka

Silviculture	Wes Case
Recreation	Kearstin Edwards
CFLR Coordinator / Roadless	Mike Ward
Archaeologist	Cindy Schaecher
Visual Quality	Diana Jones
Public Affairs Specialist	Jenna Becar
Tribal Liaison	Christine Bradbury

Timeline

Briefing #1 between my representative and the IDT has been scheduled for August 10, 2017. Moose Creek Ranger, Jenni Blake will discuss instructions to the team for the analysis and the estimated timeline for completing a Draft SEIS in FY2018. Assuming a starting date of August 14, 2017, the following approximate due dates would allow the IDT to publish a Draft SEIS in FY2018, and a Draft ROD, Final SEIS, and Final ROD in the fourth quarter of FY2018. Any deviation from these dates must be approved ahead of time by Jenni Blake in consultation with myself.

- August 14 – October 6, 2017: 8 weeks to review and update the existing analysis, compile the Draft SEIS, and reinstate consultation as needed with the services, the Tribe, and SHPO. This will include workshop(s) with the Tribe.
- Checkpoint with Forest Supervisor and IDT following the Forest NEPA review process.
- October 9 – November 23, 2017: 6 weeks (45 days) for the Draft SEIS public comment period.
- Checkpoint with the Forest Supervisor and IDT to discuss comments, in general, and develop a strategy for response to comments.
- November 24 – January 8, 2018: 6 weeks to respond to comments on the Draft SEIS; the time required to respond to comments will depend on the number of comments received and the strategy developed to address those comments. We will not respond individually to comments unless grouping them is not possible.
- Checkpoint with Forest Supervisor and IDT prior to issuance of Final SEIS. This must also include review by SO specialists in the key resource areas.
- January 9, 2018 – March 5, 2018: 8 weeks to write a Final SEIS and Draft ROD and advertise the Draft ROD for objections.
- March 6, 2018 – June 4, 2018: 12 weeks (90 days) for objections, objection responses and resolve objections.
- June 5, 2018 – July 5, 2018: 4 weeks to update the FEIS and advertise the updated FEIS for the start of a 30-day EPA review.
- July 6, 2018 – August 6, 2018: 4 weeks to write and finalize the Final ROD; this 4-week period can run concurrently with the 30-day EPA review period.



CHERYL F. PROBERT
Forest Supervisor